



**NAILAH K. BYRD
CUYAHOGA COUNTY CLERK OF COURTS
1200 Ontario Street
Cleveland, Ohio 44113**

Court of Common Pleas

**New Case Electronically Filed: COMPLAINT
January 24, 2022 14:46**

By: CHRISTINE LASALVIA 0076084

Confirmation Nbr. 2455974

RAYSHONNA CHIBUNDU

CV 22 958653

vs.

STEAK N SHAKE, ET. AL.

Judge: MICHAEL P. SHAUGHNESSY

Pages Filed: 5

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

RAYSHONNA CHIBUNDU) CASE NO:
1886 E. 59th Street)
Cleveland, OH 44113) JUDGE:

Plaintiff,)
vs.)
STEAK N SHAKE) COMPLAINT
3294 Steelyard Drive)
Cleveland, OH 44109) JURY DEMAND ENDORSED
and) HEREON
STEAK N SHAKE OPERATIONS, INC.)
c/o Corporation Service Company)
50 West Broad St., Suite 1330)
Columbus, OH 43215)
and)
STEAK N SHAKE INC.)
107 South Pennsylvania Street)
Suite 400)
Indianapolis, IN 46204)
and)
JOHN DOE #1 and #2)
(Name and address currently)
unknown. John Doe #1 and #2 are)
meant to be any entity or individual)
which owned, operated or maintained)
Steak n' Shake located at 3294)
Steelyard Drive, Cleveland, OH 44109)
on January 27, 2020.))
Defendants.)

Now comes the Plaintiff, Rayshonna Chibundu, by and through counsel, and
for her complaint against the Defendants, states as follows:

PARTIES

1. At all times pertinent herein, Plaintiff Rayshonna Chibundu was a resident of the city of Cleveland, county of Cuyahoga, and state of Ohio.
2. Defendant, Steak n Shake and/or John Doe #1 and John Doe #2, are business(s) licensed to do and doing business in the city of Cleveland, county of Cuyahoga, and state of Ohio.
3. At all times pertinent herein, Defendant Steak n Shake Inc. and/or John Doe #1 and John Doe #2, by and through their agents, employees or servants owned, possessed, maintained and controlled the Steak n Shake restaurant located at 3294 Steelyard Drive, Cleveland, OH 44109.
4. Defendant John Doe #1 and John Doe #2 owned, possessed maintained, managed and/or controlled the Steak n Shake restaurant located at 3294 Steelyard Drive, Cleveland, OH 44109. The name and address of these entities could not be determined prior to the filing of Plaintiff's Complaint, despite the good faith attempt of Plaintiff. Plaintiff will seek leave to amend this Complaint and substitute the true identity of Defendant John Doe #1 and John Doe #2 upon identification.

COUNT ONE

5. Plaintiff restates and realleges each and every preceding paragraph as if fully rewritten herein.
6. On or about January 27, 2020, Plaintiff Rayshonna Chibundu was a patron of the Steak n Shake Restaurant in question and as such, she was a business invitee.
7. As Plaintiff was using the restroom, the wet floor caused by a broken pipe in the sink, which should have had a wet floor sign, caused Plaintiff to fall, causing her

significant personal injuries.

8. On or about January 27, 2020, Defendants jointly and severally, and/or concurrently and individually by and through their agents and/or employees and/or servants were negligent in one or more of the following respects:

- a. In failing to maintain the above-described premises.
- b. In creating and/or permitting the creation of or permitting the continued existence of a defect and/or dangerous condition and/or nuisance at the Steak n Shake restaurant located at 3294 Steelyard Drive, Cleveland, OH 44109.
- c. In failing to properly and adequately warn Plaintiff Rayshonna Chibundu about a defect and/or dangerous condition and/or nuisance on the above-described premises.
- d. In failing to act reasonably once Defendants knew or should have known about a defect and/or dangerous condition at the Steak n Shake restaurant located at 3294 Steelyard Drive, Cleveland, OH 44109.
- e. In failing to properly screen, interview, hire, train, monitor and/or maintain their employees and agents.
- f. In failing to have adequate and/or appropriate processes and protocol to maintain the safety of its employees while working in the building.
- g. In failing to inspect and maintain the floor in a safe manner.

9. As a direct and proximate result of Defendants' negligence, Plaintiff Rayshonna Chibundu suffered significant and permanent personal injuries, which caused and continues to cause her pain, damages, and loss of life's enjoyment.

10. As a direct and proximate result of Defendants' negligence, Plaintiff Rayshonna Chibundu was caused to incur expenses necessary for her medical care and treatment and with reasonable medical certainty she will continue to incur medical expenses into the indefinite future.

11. As a direct and proximate result of Defendants' negligence, Plaintiff Rayshonna Chibundu has lost wages and will continue to lose wages into the future.

12. As a direct and proximate result of Defendants' negligence, Plaintiff Rayshonna Chibundu has suffered injuries including a loss in her enjoyment of life and in her ability to live free of pain, discomfort and disability, and she suffered a loss in her ability to perform her usual functions, including her daily activities from which she derived enjoyment.

WHEREFORE, Plaintiff demands judgment against Defendants jointly and severally, in the form of compensatory damages and/or pursuant to contract, in a sum in excess of Twenty-Five Thousand Dollars (\$25,000.00), in addition to the cost of this action, reasonable attorney's fees and any other such legal and/or equitable relief this court deems just and appropriate.

Respectfully submitted,

lsl Christine LaSalvia

Christine LaSalvia (0076084)
Brian Palmer (0058476)
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815 Superior Ave., E., Suite 2100
Cleveland, OH 44114
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Facsimile: (216) 727-0160
Email: christine@lasalvia-law.com
briancp@lasalvia-law.com
Attorneys for Plaintiff

JURY DEMAND

Plaintiff demands a trial by jury on all issues raised herein.

/s/ Christine LaSalvia

Christine LaSalvia (0076084)
Attorney for Plaintiff

SUMMONS IN A CIVIL ACTION COURT OF COMMON PLEAS, CUYAHOGA COUNTY JUSTICE CENTER

Case: 1:22-cv-00231-PAB Doc #: 1-1 Filed: 02/09/22 7:01PM PageID #: 10

CASE NO.
CV22958653

D1 CM

SUMMONS NO.
46556683

CLEVELAND, OHIO 44113

Rule 4 (B) Ohio

RAYSHONNA CHIBUNDU
VS
STEAK N SHAKE, ET. AL.**PLAINTIFF****DEFENDANT**Rules of Civil
Procedure**SUMMONS**STEAK N SHAKE
3294 STEELYARD DRIVE
CLEVELAND OH 44109

Said answer is required to be served on:



Plaintiff's Attorney

BRIAN PALMER
614 W. SUPERIOR AVE.

SUITE 820
CLEVELAND, OH 44113-0000

You have been named defendant in a summons complaint (copy attached hereto) filed in Cuyahoga County Court of Common Pleas, Cuyahoga County Justice Center, Cleveland, Ohio 44113, by the plaintiff named herein.

You are hereby summoned and required to answer the complaint within 28 days after service of this summons upon you, exclusive of the day of service.

Said answer is required to be served on Plaintiff's Attorney (Address denoted by arrow at left.)

Your answer must also be filed with the court within 3 days after service of said answer on plaintiff's attorney.

If you fail to do so, judgment by default will be rendered against you for the relief demanded in the complaint.

Case has been assigned to Judge:

MICHAEL P SHAUGHNESSY
Do not contact judge. Judge's name is given for attorney's reference only.NAILAH K. BYRD
Clerk of the Court of Common Pleas

Deputy



DATE SENT

Jan 25, 2022

By _____

Deputy

COMPLAINT FILED 01/24/2022



SUMMONS IN A CIVIL ACTION COURT OF COMMON PLEAS, CUYAHOGA COUNTY JUSTICE CENTER

Case: 1:22-cv-00231-PAB Doc #: 1-1 Filed: 02/09/22 8:09 AM PageID #: 11

CASE NO.
CV22958653

D2 CM

SUMMONS NO.
46556684

COURT OF COMMON PLEAS, CUYAHOGA COUNTY, OHIO 44113

Rule 4 (B) Ohio

Rules of Civil
ProcedureRAYSHONNA CHIBUNDU
VS
STEAK N SHAKE, ET. AL.**PLAINTIFF****DEFENDANT****SUMMONS**STEAK N SHAKE OPERATIONS, INC.
C/O CORPORATION SERVICE COMPANY
50 WEST BROAD STREET, SUITE 1330
COLUMBUS OH 43215

Said answer is required to be served on:



Plaintiff's Attorney

BRIAN PALMER
614 W. SUPERIOR AVE.

SUITE 820
CLEVELAND, OH 44113-0000

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MICHAEL P SHAUGHNESSY
Do not contact judge. Judge's name is given for attorney's reference only.NAILAH K. BYRD
Clerk of the Court of Common Pleas

Deputy



DATE SENT

Jan 25, 2022

By _____

Deputy

COMPLAINT FILED 01/24/2022



SUMMONS IN A CIVIL ACTION COURT OF COMMON PLEAS, CUYAHOGA COUNTY JUSTICE CENTER

Case: 1:22-cv-00231-PAB Doc #: 1-1 Filed: 02/09/22 9:01PM PageID #: 12

CASE NO.
CV22958653

D3 CM

SUMMONS NO.
46556685

CLEVELAND, OHIO 44113

Rule 4 (B) Ohio

Rules of Civil
ProcedureRAYSHONNA CHIBUNDU
VS
STEAK N SHAKE, ET. AL.**PLAINTIFF****DEFENDANT****SUMMONS**STEAK N SHAKE, INC.
107 SOUTH PENNSYLVANIA STREET
SUITE 400
INDIANAPOLIS IN 46204

Said answer is required to be served on:



Plaintiff's Attorney

BRIAN PALMER
614 W. SUPERIOR AVE.

SUITE 820
CLEVELAND, OH 44113-0000

You have been named defendant in a summons complaint (copy attached hereto) filed in Cuyahoga County Court of Common Pleas, Cuyahoga County Justice Center, Cleveland, Ohio 44113, by the plaintiff named herein.

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Clerk of the Court of Common Pleas

Deputy



DATE SENT

Jan 25, 2022

By _____

Deputy

COMPLAINT FILED 01/24/2022

